

LEGISLATIVE COUNCIL
FILE COPY

II

96TH CONGRESS
2D SESSION

H. R. 6410

IN THE SENATE OF THE UNITED STATES

MARCH 26 (legislative day, JANUARY 3), 1980

Read twice and referred to the Committee on Governmental Affairs

AN ACT

To reduce paperwork and enhance the economy and efficiency of the Government and the private sector by improving Federal information policymaking, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Paperwork Reduction Act
4 of 1980".

5 SEC. 2. (a) Title 44 of the United States Code is
6 amended by striking out chapter 35 and inserting in its place
7 the following new chapter:

1 **"CHAPTER 35—COORDINATION OF FEDERAL**
2 **INFORMATION POLICY**

- "Sec.
- "3501. Purpose.
- "3502. Definitions.
- "3503. Office of Federal Information Policy.
- "3504. Authority and functions of Director.
- "3505. Assignment of tasks and deadlines.
- "3506. Federal agency responsibilities.
- "3507. Public information collection activities—submission to Director; approval and delegation.
- "3508. Determination of necessity for information; hearing.
- "3509. Designation of central collection agency.
- "3510. Cooperation of agencies in making information available.
- "3511. Establishment and operation of Federal Information Locator System.
- "3512. Penalty for failure to furnish information.
- "3513. Director review of agency activities; reporting; agency response.
- "3514. Responsiveness to Congress.
- "3515. Administrative powers.
- "3516. Rules and regulations.
- "3517. Consultation with other agencies and the public.
- "3518. Effect on existing laws and regulations.
- "3519. Access to information.
- "3520. Authorization of appropriations.

3 **"§ 3501. Purpose**

4 **"It is the purpose of this chapter to ensure that—**

5 **"(1) Federal information policies and practices**
6 **shall be coordinated and integrated with each other**
7 **and shall be uniform, as far as practicable, throughout**
8 **the Federal Government;**

9 **"(2) information needed by agencies shall be ob-**
10 **tained with a minimum burden upon persons and enti-**
11 **ties required to furnish the information, and obtained,**
12 **used, and disseminated at a minimum cost to the**
13 **Government;**

14 **"(3) information collected and tabulated by an**
15 **agency shall, as far as practicable, be maintained in a**

1 manner to maximize the usefulness of the information
2 to Congress, agencies, and the public;

3 “(4) the collection, maintenance, use, and dissemi-
4 nation of personal information by agencies shall be
5 consistent with the Privacy Act of 1974 and other ap-
6 plicable laws; and

7 “(5) automatic data processing and telecommuni-
8 cations technology shall be acquired and used in a
9 manner which improves service delivery and program
10 management, increases productivity, reduces waste and
11 fraud, and, where possible, reduces the information
12 processing burden on the public and private sectors.

13 **“§ 3502. Definitions**

14 “As used in this chapter, the term—

15 “(1) ‘agency’ means any executive department,
16 military department, Government corporation, Govern-
17 ment controlled corporation, or other establishment in
18 the executive branch of the Government (including the
19 Executive Office of the President), or any independent
20 regulatory agency; but does not include the General
21 Accounting Office or the governments of the District of
22 Columbia and of the territories and possessions of the
23 United States, and their various subdivisions;

24 “(2) ‘collection of information’ means the obtain-
25 ing or soliciting of facts or opinions for any purpose by

1 an agency by the use of written report forms, applica-
2 tion forms, schedules, questionnaires, reporting or rec-
3 ordkeeping requirements, or other similar methods call-
4 ing for either—

5 “(A) answers to identical questions posed to,
6 or identical reporting or recordkeeping require-
7 ments imposed on, ten or more persons; or

8 “(B) answers to questions posed to agencies
9 of the United States which are to be used for gen-
10 eral statistical purposes;

11 “(3) ‘data element’ means a distinct piece of infor-
12 mation such as a name, term, number, abbreviation, or
13 symbol;

14 “(4) ‘data element dictionary’ means a system
15 containing standard and uniform definitions and cross
16 references for commonly used data elements;

17 “(5) ‘data profile’ means a synopsis of the ques-
18 tions contained in an information collection request,
19 and also such related items as the official name of the
20 request, the location of information obtained through
21 such request, a description of any compilations, analy-
22 ses, or reports derived from such information, any
23 record retention requirements associated with such re-
24 quest, the agency responsible for such request, the au-
25 thorizing statute, and other information necessary to

1 identify, access, and use the data contained in such
2 information;

3 “(6) ‘Director’ means the Director of the Office of
4 Management and Budget;

5 “(7) ‘directory of information resources’ means a
6 catalog of information collection requests, containing a
7 data profile for each request;

8 “(8) ‘independent regulatory agency’ means the
9 Board of Governors of the Federal Reserve System,
10 the Civil Aeronautics Board, the Commodity Futures
11 Trading Commission, the Consumer Product Safety
12 Commission, the Federal Communications Commission,
13 the Federal Deposit Insurance Corporation, the Fed-
14 eral Election Commission, the Federal Energy Regula-
15 tory Commission, the Federal Home Loan Bank
16 Board, the Federal Maritime Commission, the Federal
17 Trade Commission, the Interstate Commerce Commis-
18 sion, the Mine Enforcement Safety and Health Review
19 Commission, the National Labor Relations Board, the
20 Nuclear Regulatory Commission, the Occupational
21 Safety and Health Review Commission, the Postal
22 Rate Commission, and the Securities and Exchange
23 Commission, and other similar agencies designated by
24 statute as independent regulatory establishments of the
25 Federal Government;

1 “(9) ‘information collection request’ means a writ-
2 ten report form, application form, schedule, question-
3 naire, or other reporting or recordkeeping requirement
4 for the collection of information;

5 “(10) ‘information referral service’ means the
6 function that assists officials and citizens in obtaining
7 access to the Federal Information Locator System;

8 “(11) ‘person’ means an individual, partnership,
9 association, corporation, business trust, or legal repre-
10 sentative, an organized group of individuals, a State,
11 territorial, or local government or branch thereof, or a
12 political subdivision of a State, territory, or local gov-
13 ernment or a branch of a political subdivision; and

14 “(12) ‘recordkeeping requirement’ means a re-
15 quirement imposed by an agency on persons to main-
16 tain specified records.

17 **“§ 3503. Office of Federal Information Policy**

18 “(a) There is established in the Office of Management
19 and Budget an office to be known as the Office of Federal
20 Information Policy.

21 “(b) There shall be at the head of the Office an Adminis-
22 trator who shall be appointed by, and who shall report di-
23 rectly to, the Director. The Director shall delegate to the
24 Administrator the authority and responsibility to administer
25 all functions under this chapter. The Administrator shall

1 serve as principal adviser to the Director on Federal informa-
2 tion policy.

3 **"§ 3504. Authority and functions of Director**

4 “(a) The Director shall provide overall direction in the
5 development and implementation of Federal information poli-
6 cies, principles, standards, and guidelines, including review
7 and approval of information collection requests, the reduction
8 of the paperwork burden placed on the public, Federal statis-
9 tical activities, records management activities, privacy of rec-
10 ords pertaining to individuals, interagency sharing of infor-
11 mation, and acquisition and use of automatic data processing
12 and other technology for managing information resources.

13 “(b) The general information policy functions of the Di-
14 rector shall include—

15 “(1) developing and establishing uniform informa-
16 tion resources management policies and overseeing the
17 development of information management principles,
18 standards, and guidelines and promoting their use;

19 “(2) initiating and reviewing proposals for changes
20 in legislation, regulations, and agency procedures to
21 improve information practices, and informing the Presi-
22 dent and the Congress on the progress made in effect-
23 ing such changes;

24 “(3) coordinating, through the review of budget
25 proposals and otherwise, agency information practices;

1 “(4) promoting, through the use of the Federal
2 Information Locator System and the review of budget
3 proposals, and otherwise, greater agency sharing of in-
4 formation (consistent with applicable laws) to enhance
5 the usefulness of the information and limit the report-
6 ing burden on the public;

7 “(5) evaluating the agencies’ information practices
8 to determine their adequacy, efficiency, and compliance
9 with policies, principles, standards, and guidelines pro-
10 mulgated by the Director; and

11 “(6) overseeing the planning of, and the conduct
12 of research with respect to, Federal information collec-
13 tion, processing, storage, transmission, and use.

14 “(c) The information collection request clearance and
15 other paperwork functions of the Director shall include—

16 “(1) reviewing and approving information collec-
17 tion requests proposed by agencies;

18 “(2) determining whether the collection of infor-
19 mation by an agency is necessary for the proper per-
20 formance of the functions of the agency and has practi-
21 cal utility for the agency;

22 “(3) designating, in accordance with section 3509,
23 a collection agency to obtain information for two or
24 more agencies;

1 “(4) setting goals for reductions of the numbers
2 and burdens of Federal information collection requests;

3 “(5) overseeing action on the recommendations of
4 the Commission on Federal Paperwork; and

5 “(6) designing and operating the Federal Informa-
6 tion Locator System in accordance with section 3511.

7 “(d) The statistical policy and coordination functions of
8 the Director shall include—

9 “(1) developing, in conjunction with the agencies,
10 long range plans for the improved performance of Fed-
11 eral statistical activities and programs;

12 “(2) coordinating, through the review of budget
13 proposals and otherwise, the functions of the Govern-
14 ment with respect to gathering, interpreting, and dis-
15 seminating statistics and statistical information;

16 “(3) overseeing the establishment of Government-
17 wide policies, principles, standards, and guidelines cov-
18 ering statistical collection procedures and methods, sta-
19 tistical data classifications, and statistical information
20 presentation and dissemination; and

21 “(4) evaluating statistical program performance
22 and agencies' compliance with Government-wide poli-
23 cies, principles, standards, and guidelines.

24 “(e) The records management functions of the Director
25 shall include—

1 “(1) providing advice and assistance to the Ad-
2 ministrator of General Services to promote coordina-
3 tion in the administration of chapters 29, 31, and 33 of
4 this title with the information policies, principles,
5 standards, and guidelines established under this
6 chapter;

7 “(2) reviewing compliance by Federal agencies
8 with the requirements of chapters 29, 31, and 33 of
9 this title and with regulations promulgated by the
10 Administrator of General Services thereunder; and

11 “(3) coordinating records management policies
12 and programs with related information programs such
13 as information collection, statistics, automatic data
14 processing and telecommunications, and similar
15 activities.

16 “(f) The privacy functions of the Director shall
17 include—

18 “(1) overseeing the development of and promul-
19 gating policies, principles, standards, and guidelines on
20 information disclosure and confidentiality, and on safe-
21 guarding the security of information collected or main-
22 tained by agencies, or in conjunction with Federal
23 programs;

1 “(2) providing agencies with advice and guidance
2 about information security, restriction, exchange, and
3 disclosure; and

4 “(3) monitoring compliance with the Privacy Act
5 of 1974 (5 U.S.C. 552a) and related information man-
6 agement laws.

7 “(g) The automatic data processing and telecommunica-
8 tions functions of the Director shall include—

9 “(1) establishing policies, principles, standards,
10 and guidelines for automatic data processing and tele-
11 communications functions and activities, and overseeing
12 the establishment of standards under section 111(f) of
13 the Federal Property and Administrative Services Act
14 of 1949 (40 U.S.C. 759(f));

15 “(2) monitoring the effectiveness of, and compli-
16 ance with, directives issued pursuant to sections 110
17 and 111 of the Federal Property and Administrative
18 Services Act of 1949 (40 U.S.C. 757, 759) and re-
19 viewing proposed determinations under section 111(g)
20 of such Act;

21 “(3) providing, in coordination with the Adminis-
22 trator of General Services, advice and guidance on the
23 acquisition and use of automatic data processing and
24 telecommunications equipment, and coordinating,
25 through the review of budget proposals and otherwise,

1 agency proposals for acquisition and use of such equip-
2 ment; and

3 “(4) promoting the use of automatic data process-
4 ing and telecommunications equipment to improve the
5 effectiveness of the use and dissemination of data in
6 the operation of Federal programs; and

7 “(5) initiating and reviewing proposals for changes
8 in legislation, regulations, and agency procedures to
9 improve automatic data processing and telecommunica-
10 tions practices, and informing the President and the
11 Congress of the progress made in effecting such
12 changes.

13 “(h) Other functions of the Director shall include ensur-
14 ing that, in developing rules and regulations, agencies—

15 “(1) utilize efficient methods to collect, use, and
16 disseminate necessary information;

17 “(2) provide an early and substantial opportunity
18 for the public to comment on proposed means of col-
19 lecting information related to such rules and regula-
20 tions; and

21 “(3) make assessments of the consequences of al-
22 ternative methods of implementing the statutory goals
23 of such rules and regulations (including alternative
24 methods of collecting information).

1 “(i) In any review of regulations by the Director author-
2 ized by law, the Director shall consider the relationship of
3 such regulations to the policies, principles, standards, and
4 guidelines established under this chapter.

5 **“§ 3505. Assignment of tasks and deadlines**

6 “‘In carrying out the authority and functions assigned by
7 this chapter, the Director shall—

8 “(1) within one year after the date of enactment
9 of the Paperwork Reduction Act of 1980—

10 “(A) establish standards and requirements for
11 agency audits of all major information systems,
12 assign the responsibility for conducting such
13 audits, and assign the responsibility for conducting
14 Government-wide or multiagency audits;

15 “(B) establish the Federal Information Loca-
16 tor System;

17 “(C) identify areas of duplication in informa-
18 tion collection requests and develop a schedule
19 and methods for eliminating the duplication; and

20 “(D) develop a proposal to augment the Fed-
21 eral Information Locator System to include data
22 profiles of major information holdings of agencies
23 (used in the conduct of their operations) which are
24 not otherwise required by this chapter to be in-
25 cluded in the System; and

1 “(2) within two years after such date of
2 enactment—

3 “(A) establish a schedule and a management
4 control system (including policies, principles,
5 standards, and guidelines) to ensure that practices
6 and programs of the various information handling
7 disciplines, such as records management, are ap-
8 propriately integrated with each other, and with
9 the broad information policies established by this
10 chapter;

11 “(B) identify initiatives which may achieve
12 substantial productivity improvement in Federal
13 operations using information processing
14 technology;

15 “(C) develop a program to (i) enforce Federal
16 information processing standards, particularly lan-
17 guage standards, at all Federal installations; and
18 (ii) revitalize the standards development program,
19 separating it from peripheral technical assistance
20 functions and directing it to the most productive
21 areas;

22 “(D) complete action on recommendations of
23 the Commission on Federal Paperwork, including
24 development of legislation necessary to implement
25 such recommendations;

1 “(E) develop, in consultation with the Ad-
2 ministrators of General Services, a five-year plan
3 for meeting the automatic data processing and
4 telecommunications needs of the Federal Govern-
5 ment in accordance with the requirements of sec-
6 tion 111 of the Federal Property and Administra-
7 tive Services Act of 1949 (40 U.S.C. 759) and
8 the purposes of the Paperwork Reduction Act of
9 1980; and

10 “(F) submit to the President and the Con-
11 gress legislative proposals to remove inconsisten-
12 cies in laws and practices involving privacy, confi-
13 dentiality, and disclosure of information.

14 **“§ 3506. Federal agency responsibilities**

15 “(a) Each agency shall be responsible for carrying out
16 its information management activities in an efficient, effec-
17 tive, and economical manner, and for complying with the in-
18 formation policies, principles, standards, and guidelines pre-
19 scribed by the Director.

20 “(b) The head of each agency shall designate, within
21 three months of the date of enactment of the Paperwork Re-
22 duction Act of 1980, a senior official who reports directly to
23 such agency head to carry out the responsibilities of the
24 agency under this chapter.

25 “(c) Each agency shall—

1 “(1) systematically inventory its major information
2 systems and periodically review its information man-
3 agement activities, including planning, budgeting, orga-
4 nizing, directing, training, promoting, controlling, and
5 other managerial activities involving the collection,
6 use, and dissemination of information;

7 “(2) take steps to ensure that its information sys-
8 tems do not overlap each other or duplicate those of
9 other agencies;

10 “(3) develop procedures for assessing the paper-
11 work and reporting burden of its information collection
12 activities and of proposed legislation and regulations
13 related to such agency; and

14 “(4) assign to the official designated under subsec-
15 tion (b) the responsibility for the conduct of and ac-
16 countability for any acquisitions made pursuant to a
17 delegation of authority under section 111 of the Fed-
18 eral Property and Administrative Services Act of 1949
19 (40 U.S.C. 759).

20 “(d) The head of each agency shall establish such proce-
21 dures as he may deem necessary to ensure the compliance of
22 his agency with the requirements of the Federal Information
23 Locator System, including necessary screening and compli-
24 ance activities.

1 **“§ 3507. Public information collection activities—submis-**
2 **sion to Director; approval and delegation**

3 “(a) An agency shall not conduct or sponsor the collec-
4 tion of information unless, in advance of adoption or revision
5 of the request for collection of such information—

6 “(1) the agency has taken appropriate steps, in-
7 cluding consultation with the Director (A) to eliminate
8 information collections which seek to obtain informa-
9 tion available from another source within the Federal
10 Government (through the use of the Federal Informa-
11 tion Locator System and other means), (B) to reduce
12 the compliance burden on respondents, and (C) to for-
13 mulate plans for tabulating the information in a manner
14 which will enhance its usefulness to other agencies and
15 to the public;

16 “(2) the agency has submitted to the Director the
17 proposed information collection request, copies of perti-
18 nent regulations and of other related materials as the
19 Director may specify, and an explanation of measures
20 taken to satisfy paragraph (1) of this section, and has
21 caused a notice of such submission to be published in
22 the Federal Register; and

23 “(3) the Director has approved the proposed infor-
24 mation collection request, or sufficient time has elapsed
25 as provided under subsection (c).

1 “(b) Any disapproval, in whole or in part, under subsec-
2 tion (a) of a proposed information collection request of an
3 independent regulatory agency may be voided if the agency,
4 by a majority vote of its members, overrides the Director’s
5 decision.

6 “(c) The Director shall, within sixty days of receipt of a
7 proposed information collection request, notify the agency in-
8 volved of his decision to approve or disapprove the request. If
9 the Director determines that a request submitted for review
10 cannot be reviewed within sixty days, he may, after notice to
11 the agency involved, extend the review period for an addi-
12 tional thirty days. If the Director does not notify the agency
13 of an extension, denial, or approval within sixty days (or, if
14 he has extended the review period for an additional thirty
15 days and does not notify the agency of a denial or approval
16 within the time of the extension), his approval may be in-
17 ferred and the agency may collect the information for not
18 more than one year.

19 “(d) No approval of an information collection request
20 shall be valid for a period of more than three years.

21 “(e) If the Director finds that a senior official designated
22 pursuant to section 3506(b) has independence from any pro-
23 gram responsibility and has sufficient resources to evaluate
24 whether proposed information collection requests should be
25 approved, the Director may, by rule subject to the notice and

1 comment provisions of chapter 5 of title 5, delegate to such
2 official his power to approve proposed requests in specific
3 program areas, for specific purposes, or for all agency pur-
4 poses. Such delegation shall not preclude the Director from
5 reviewing individual information collection requests if the Di-
6 rector determines that circumstances warrant such a review.
7 The Director shall retain authority to revoke such delega-
8 tions of power, both in general and with regard to any spe-
9 cific matter. In acting for the Director, any official to whom
10 approval powers have been delegated shall comply fully with
11 the rules and regulations promulgated by the Director.

12 “(f) No agency shall be exempt from the requirements of
13 this chapter.

14 **“§ 3508. Determination of necessity for information;**
15 **hearing**

16 “Before approving a proposed information collection re-
17 quest, the Director shall determine whether the collection of
18 information by an agency is necessary for the proper per-
19 formance of the functions of the agency and has practical
20 utility for the agency. Before making a determination the Di-
21 rector may give the agency and other interested persons an
22 opportunity to be heard or to submit statements in writing.
23 To the extent, if any, that the Director determines that the
24 collection of information by an agency is unnecessary, for any

1 reason, the agency may not engage in the collection of the
2 information.

3 **"§ 3509. Designation of central collection agency**

4 "The Director may designate a collection agency to
5 obtain information for two or more agencies if the Director is
6 of the opinion that the needs of such agencies for information
7 will be adequately served by a single collection agency, and
8 such sharing of data is not inconsistent with any applicable
9 law. In such cases the Director shall prescribe (with refer-
10 ence to the collection of information) the duties and functions
11 of the collection agency so designated and of the agencies for
12 which it is to act as agent (including reimbursement for
13 costs). While the designation is in effect, an agency covered
14 by it may not obtain for itself information which it is the duty
15 of the collection agency to obtain. The Director may modify
16 the designation from time to time as circumstances require.

17 **"§ 3510. Cooperation of agencies in making information**
18 **available**

19 "(a) The Director may direct an agency to make availa-
20 ble to another agency information obtained pursuant to an
21 information collection request if—

22 "(1) the disclosure is not inconsistent with any
23 applicable law;

24 "(2) it is disclosed in the form of statistical totals
25 or summaries; or

1 “(3) the person who supplied the information con-
2 sents to such disclosure.

3 “(b) If information obtained by an agency is released by
4 that agency to another agency, all the provisions of law (in-
5 cluding penalties which relate to the unlawful disclosure of
6 information) apply to the officers and employees of the
7 agency to which information is released to the same extent
8 and in the same manner as the provisions apply to the offi-
9 cers and employees of the agency which originally obtained
10 the information. The officers and employees of the agency to
11 which the information is released, in addition, shall be subject
12 to the same provisions of law, including penalties, relating to
13 the unlawful disclosure of information as if the information
14 had been collected directly by that agency.

15 **“§ 3511. Establishment and operation of Federal Informa-**
16 **tion Locator System**

17 “(a) There is hereby established in the Office of Federal
18 Information Policy a Federal Information Locator System
19 (hereinafter in this section referred to as the ‘System’) com-
20 posed of a directory of information resources, a data element
21 dictionary, and an information referral service. The System
22 shall serve as the authoritative register of all information col-
23 lection requests.

24 “(b) In designing and operating the System, the Direc-
25 tor shall—

1 “(1) design and operate an indexing system for
2 the System;

3 “(2) promulgate rules requiring the head of each
4 agency to prepare in a form specified by the Director,
5 and to submit to the Director for inclusion in the
6 System, a data profile for each information collection
7 request of such agency;

8 “(3) compare data profiles for proposed informa-
9 tion collection requests against existing profiles in the
10 System, and make available the results of such com-
11 parison to—

12 “(A) agency officials who are planning new
13 information collection activities; and

14 “(B) on request, members of the general
15 public; and

16 “(4) ensure that no actual data, except descriptive
17 data profiles necessary to identify duplicative data or
18 to locate information, are contained within the System.

19 **“§ 3512. Penalty for failure to furnish information**

20 “Notwithstanding any other provision of law, no person
21 shall be subject to any penalty for failing to provide informa-
22 tion to any agency if the information collection request in-
23 volved was made after December 31, 1981, in violation of
24 section 3507.

1 **"§ 3513. Director review of agency activities; reporting;**
2 **agency response**

3 “(a) The Director shall, with the advice and assistance
4 of the Administrator of General Services, review, at least
5 once every three years, by means of selective inspections, the
6 information management activities of each agency to ascer-
7 tain their adequacy and efficiency. In evaluating the adequa-
8 cy and efficiency of these activities, the Director shall pay
9 particular attention to whether the agency has complied with
10 section 3506.

11 “(b) The Director shall report the results of the inspec-
12 tions to the appropriate agency head, the House Committee
13 on Government Operations, the Senate Committee on Gov-
14 ernmental Affairs, the House and Senate Committees on Ap-
15 propriations, and committees of the Congress having jurisdic-
16 tion over legislation relating to the operations of the agency
17 involved.

18 “(c) Each agency which receives a report pursuant to
19 subsection (b) shall, within sixty days thereafter, prepare and
20 submit to the Director, the House Committee on Govern-
21 ment Operations, the Senate Committee on Governmental
22 Affairs, the House and Senate Committees on Appropri-
23 ations, and the committees of the Congress having jurisdic-
24 tion over legislation relating to its operations, a written state-

1 ment describing any measures taken to alleviate or remove
2 any problems or deficiencies identified in such report.

3 **"§ 3514. Responsiveness to Congress**

4 “(a) The Director shall keep the Congress and its com-
5 mittees fully and currently informed of the major activities
6 under this chapter, and shall submit a report thereon to the
7 President of the Senate and the Speaker of the House of
8 Representatives annually and at such other times as may be
9 necessary for this purpose. The Director shall include in such
10 reports—

11 “(1) proposals for legislative changes needed to
12 improve Federal information management, including,
13 with respect to information collection, recommenda-
14 tions to ease the burden upon individuals and small
15 organizations;

16 “(2) a compilation of legislative impediments to
17 the collection of information which the Director con-
18 cludes that an agency needs but does not have author-
19 ity to collect;

20 “(3) an analysis by agency, and by such other
21 categories as he may deem useful, describing the com-
22 pliance burden of information collection requests of
23 agencies on persons outside the Federal Government,
24 as well as the costs to agencies;

1 “(4) a summary of accomplishments to reduce the
2 burden of complying with Federal information collec-
3 tion requests by such means as reducing the time, cost,
4 complexity, and incomprehensibility of Federal
5 paperwork;

6 “(5) a tabulation of areas of duplication in agency
7 information collection requests identified during the
8 preceding year and any designations of central collec-
9 tion agencies made to preclude the collection of dupli-
10 cate information;

11 “(6) a list of all violations of provisions of this
12 chapter and rules, regulations, guidelines, policies, and
13 procedures issued pursuant to this chapter; and

14 “(7) with respect to recommendations of the Com-
15 mission on Federal Paperwork—

16 “(A) the specific actions taken on each rec-
17 ommendation which has been completely imple-
18 mented;

19 “(B) the major actions still required to imple-
20 ment each remaining recommendation and the
21 target date for completing each such action;

22 “(C) a detailed assessment of the status of
23 and progress on each such action; and

24 “(D) an explanation of any delays and ac-
25 tions required to overcome these delays.

1 “(b) The preparation of these reports shall not increase
2 the burden on persons outside the Federal Government of
3 responding to mandatory requests for information.

4 **“§ 3515. Administrative powers**

5 “(a) Upon the request of the Director, each agency
6 (other than an independent regulatory agency) shall make its
7 services, personnel, and facilities available to the Director for
8 the performance of functions under this chapter.

9 “(b) Upon the request of the Director, each agency
10 shall, except when prohibited by law, furnish to the Director
11 and give him access to all information in its possession which
12 the Director may determine to be necessary for the perform-
13 ance of functions under this chapter.

14 **“§ 3516. Rules and regulations**

15 “The Director shall promulgate rules and regulations
16 necessary to exercise the authority provided by this chapter.

17 **“§ 3517. Consultation with other agencies and the public**

18 “In the development of information policies, rules, regu-
19 lations, procedures, and forms, the Director shall, from the
20 beginning of each initiative, consult with persons outside the
21 Federal Government and the agencies affected.

22 **“§ 3518. Effect on existing laws and regulations**

23 “The authority of an agency under any other law to
24 prescribe policies, rules, regulations, procedures, and forms

1 for Federal information activities is subject to the authority
2 conferred on the Director by this chapter.

3 **"§ 3519. Access to information**

4 "The Director and personnel in the Office of Federal
5 Information Policy shall furnish such information as the
6 Comptroller General may require for the discharge of his re-
7 sponsibilities. For this purpose, the Comptroller General or
8 his representatives shall have access to all books, documents,
9 papers, and records of that Office.

10 **"§ 3520. Authorization of appropriations.**

11 "There are hereby authorized to be appropriated to
12 carry out the provisions of this chapter, and for no other
13 purpose—

14 "(1) not to exceed \$8,000,000 for the fiscal year
15 ending September 30, 1981;

16 "(2) not to exceed \$8,500,000 for the fiscal year
17 ending September 30, 1982;

18 "(3) not to exceed \$9,000,000 for the fiscal year
19 ending September 30, 1983."

20 (b) The table of chapters of title 44, United States Code,
21 is amended by striking out

"35. Coordination of Federal Reporting Services."

22 and inserting in lieu thereof

"35. Coordination of Federal Information Policy."

1 (c)(1) Section 2904 of title 44, United States Code, is
2 amended by striking out paragraph (10) and inserting in lieu
3 thereof the following:

4 “(10) report to the appropriate oversight and ap-
5 propriations committees of the Congress and to the Di-
6 rector of the Office of Management and Budget an-
7 nually and at such other times as he deems desirable
8 (A) on the results of activities conducted pursuant to
9 paragraphs (1) through (9) of this section, (B) on evalu-
10 ations of responses by Federal agencies to any recom-
11 mendations resulting from inspections or studies con-
12 ducted under paragraphs (8) and (9) of this section, and
13 (C) on estimates of lost benefits or savings resulting
14 from the failure of agencies to implement such
15 recommendations.”.

16 (2) Section 2905 of title 44, United States Code, is
17 amended by redesignating the text thereof as subsection (a)
18 and by adding at the end of such section the following new
19 subsection:

20 “(b) The Administrator of General Services shall assist
21 the Administrator of the Office of Federal Information Policy
22 in conducting studies and developing standards relating to
23 record retention requirements imposed on the public and on
24 State and local governments by Federal agencies.”.

1 SEC. 3. (a) The President and the Director of the Office
2 of Management and Budget shall delegate to the Administra-
3 tor of the Office of Federal Information Policy all their func-
4 tions, authority, and responsibility under section 103 of the
5 Budget and Accounting Procedures Act of 1950 (31 U.S.C.
6 18b).

7 (b) The Director of the Office of Management and
8 Budget shall delegate to the Administrator of the Office of
9 Federal Information Policy all functions, authority, and re-
10 sponsibility of the Director under section 552a of title 5 and
11 under sections 110 and 111 of the Federal Property and Ad-
12 ministrative Services Act of 1949 (40 U.S.C. 757, 759).

13 SEC. 4. (a) Section 400A of the General Education Pro-
14 vision Act is amended by adding at the end thereof the fol-
15 lowing new subsection:

16 “(h) The authority provided and the responsibilities im-
17 posed by this section shall terminate on October 1, 1982.”.

18 (b) Section 201 of the Surface Mining Control and Rec-
19 lamation Act of 1977 (30 U.S.C. 1211) is amended by strik-
20 ing out subsection (e).

21 (c) Subsection (f) of section 708 of the Public Health
22 Service Act (42 U.S.C. 292h(f)) is repealed.

23 (d) Section 5315 of title 5, United States Code, is
24 amended by adding at the end thereof the following:

30

1 “Administrator, Office of Federal Information
2 Policy, Office of Management and Budget.”.

3 SEC. 5. This Act shall take effect on October 1, 1980.
Passed the House of Representatives March 24, 1980.

Attest: EDMUND L. HENSHAW, JR.,
Clerk.

By W. RAYMOND COLLEY,
Deputy Clerk.